

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RONNIE C. THOMPSON,)	CASE NO. 5:11CV37
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	MEMORANDUM OPINION
)	
WILLIAM J. HEALY, et al.,)	
)	
DEFENDANTS.)	

Before the Court is the interim report and recommendation of the Magistrate Judge in the above-entitled action. (Doc. No. 18.) Under the relevant statute:

[. . .] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C). In this case, the fourteen-day period has elapsed and no objections have been filed. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's interim report and recommendation and adopts the same. Accordingly, Plaintiff's motion for default judgment, motions for summary judgment, and motion for summary preliminary injunction are DENIED as premature. (*See* Doc. Nos. 4, 5, 6, 7.) Further, the court DENIES in part and GRANTS in part the motion to dismiss filed by Canton Internal Affairs Department and the Canton City Police Department. (*See* Doc. No. 13.)

The Court also DENIES as moot the motion to dismiss the Canton Internal Affairs Department, and GRANTS the motion to dismiss the Canton Police Department and its Chief and officers in their official capacities. (*Id.*)

IT IS SO ORDERED.

Dated: August 3, 2011



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE